



UNITED STATES PATENT AND TRADEMARK OFFICE

O P E
OCT 24 2000
PATENTS & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

Page 1 of 1

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/642,609	08/17/2000	Yoshinari Kumagai	BEAR-004

Karl Bozicevic
Bozicevic Field & Francis LLP
200 Middlefield Road
Suite 200
Menlo Park, CA 94025

FORMALITIES LETTER



OC000000005445521

Date Mailed: 10/03/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

(Handwritten signature over notice)
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27). \$355 -
- Total additional claim fee(s) for this application is ~~\$234~~ \$120 -
~~\$120 - \$234 for 3 independent claims over 3.~~
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
~~\$65 -~~
- The balance due by applicant is ~~\$4064~~ \$540 -

RJ
DOCKETED
MP 12/3/00
LD 3/3/01

A copy of this notice MUST be returned with the reply.

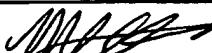
Derry
Customer Service Center

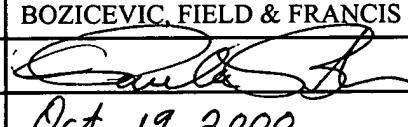
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/27/2000 SDENB0B1 00000059 500815 09642609
01 FC:201 355.00 CH
02 FC:205 65.00 CH
03 FC:202 120.00 CH

Sector 1

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231			
Typed or Printed Name	Mathew Ott		
Signature		Date	October 19, 2000
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Attorney Docket	BEAR-004
		First Named Inventor	Kumagai, et al.
		Application Number	09/642,609
		Filing Date	August 17, 2000
		Group Art Unit	N/A
		Examiner Name	N/A
		Title: "Methods and Compositions for Reducing Phosphate Levels"	
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, 1449 and references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 (<i>with copy of Notice to File Missing Parts</i>)	<input type="checkbox"/> Issue Fee Transmittal (<i>with copy of PTOL-85B</i>) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Revocation <input type="checkbox"/> Associate <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Request for Refund	
		<input type="checkbox"/> After Allowance Communication to Group	
		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
		<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>	
		<input type="checkbox"/> Proprietary Information	
		<input type="checkbox"/> Status Letter	
		<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>	
		<input type="checkbox"/> 1) Combined Declaration and Power of Attorney, signed	
		<input type="checkbox"/> 2) Return Postcard	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Individual Name	Paula A. Borden	Registration No.	42,344
Firm Name	BOZICEVIC, FIELD & FRANCIS LLP		
Signature			
Date	Oct. 19, 2000		



CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Mathew Ott		
Signature		Date	October 19, 2000

RESPONSE TO MISSING PARTS Address to: Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	BEAR-004
	First Named Inventor	Kumagai, et al.
	Application Number	09/642,609
	Filing Date	August 17, 2000
	Group Art Unit	1614
	Examiner Name	N/A
	Title:	"Methods and Compositions for Reducing Serum Phosphate Levels"

Sir:

In response to the Notice to File Missing Parts dated October 3, 2000, transmitted herewith for filing are the following documents:

1. a copy of the Notice to File Missing Parts;
2. a Combined Declaration and Power of Attorney, signed by the inventors;
3. a Verified Statement Claiming Small Entity Status; and
4. a Fee Transmittal.

The Commissioner is hereby authorized to charge the amount of \$540.00 (surcharge, \$65.00; statutory basic filing fee, \$355.00; additional claim fees, \$120.00) to cover the fees required and any other fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: Oct. 19, 2000

By: 
Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231

O I P FEE TRANSMITTAL

Note: Effective October 1, 1998.

Oct 24, 2000 fees are subject to annual revision.

U.S. PATENT & TRADEMARK OFFICE

Attorney Docket Number

BE 004

First Named Inventor

Kumagai, et al.

Application Number

09/642,609

Filing Date

August 17, 2000

Group Art Unit

N/A

Examiner Name

N/A

METHOD OF PAYMENT

- A Check Is Enclosed
- The Commissioner is hereby authorized to charge the following and any additional fees including fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to: Deposit Account No. 50-0815.
Deposit Account Name: Bozicevic, Field & Francis LLP

FEE CALCULATION

1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
101	710	201	355	Utility filing fee	\$355.00
102	320	206	160	Design filing fee	
104	490	207	245	Plant filing fee	
109	710	208	355	Reissue filing fee	
110	150	214	.75	Provisional filing fee	
Subtotal (1)					\$355.00

2. CLAIMS

No. of claims as filed or after amendment	Most claims previously paid	Extra claims	Fee from below	Fee Due
Total claims	19	20	x	\$
Ind. claims	06	03	x	40
Multiple Dependent claims		x	=	\$120.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent
Subtotal (2) \$120.00				

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Fee Description	Fee Due
105	130	205	Surcharge - late filing fee or oath	65
				127 50 227 25 Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification	147 2,520 147 2,520 Filing a request for reexamination
115	110	215	Ext. for reply within first month	116 390 216 195 Ext. for reply within second month
117	890	217	Ext. for reply within third month	118 1,390 218 695 Ext. for reply within fourth month
128	1,890	228	Ext. for reply within fifth month	119 310 219 155 Notice of Appeal
120	310	220	Filing brief in support of appeal	121 270 221 135 Request for oral hearing
140	110	240	Petition to revive - unavoidable	141 1,240 241 620 Petition to revive - unintentional
142	1,240	242	Utility issue fee (or reissue)	122 130 122 130 Petitions to the Commissioner
123	50	123	Petitions related to prov. appl.	126 240 126 240 Submission of IDS
146	710	246	Filing submission after final rejection (37 CFR 1.129(a))	149 710 249 355 For each additional invention to be examined (37 CFR 1.129(b))
112	920*	112	Requesting publication of SIR prior to Examiner action	113 1840* 113 1840* Requesting publication of SIR after Examiner action
143	440	243	Design issue fee	144 600 244 300 Plant issue fee
581	40	581	Recording patent assignment	Other fee (specify)

SUBTOTAL (3) \$65.00

TOTAL AMOUNT TO BE CHARGED (\$ 540.00)

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name

Paula A. Borden, BOZICEVIC, FIELD & FRANCIS LLP

Reg. Number

42,344

Signature

Date

Oct. 19 2000

Deposit Account

50-0815